



# City of Carmel

## MINUTES

### Carmel Board of Zoning Appeals

#### Regular Meeting

Monday, August 23, 2010

6:00 pm

Council Chambers

**Present:** James Hawkins  
Kent Broach  
Leo Dierckman  
Earlene Plavchak  
Ephraim Wilfong  
Connie Tingley, Recording Secretary

**Staff members in attendance:** Mike Hollibaugh, Director, Department of Community Services  
Christine Barton-Holmes, Planning Administrator

**Legal Counsel:** John Molitor

#### Previous Minutes:

On a motion made by Leo Dierckman and seconded by James Hawkins:

**The Minutes for the meeting dated July 26, 2010 were approved as circulated.**

**MOTION CARRIED UNANIMOUSLY**

#### Department Report: Christine Barton-Holmes

- Items 1-2h, Docket No. 10070012 V, OLMC Matthew 25 Center, Public Notice two days late; meets State Statute but needs waiver of BZA Rules
- Item 1i, 646 Johnson Drive Appeal tabled indefinitely

#### Action:

On a motion made by Leo Dierckman and seconded by Earlene Plavchak:

**Two day notice be waived.**

**MOTION CARRIED UNANIMOUSLY**

#### Legal Report: John Molitor

- Case regarding proposed Towne Road cell still pending
  - Filed Board's record with the Court
  - Expect pre-trial meeting with Judge for briefing schedule
  - Nothing new to report; Executive Session not necessary at this time
- Oath of office administered to Ephraim Wilfong, Plan Commission representative to the Carmel Clay Board of Zoning Appeals

**Public Hearing:**

**1-2h. OLMC Matthew 25 Center**

The applicant seeks the following special use amendment and development standards approvals:

**Docket No. 10060008 SUA      Appendix A: Use Table      New Building for Existing Use**

**Docket No. 10070012 V      Section 6.04.03      Reduced front yard setback**

The site is located at 14598 Oakridge Road on 11.04 acres and is zoned S2/Single-Family Residential.

Filed by Paul Reis of Krieg DeVault and Glen Ritchey of Our Lady of Mount Carmel.

**Present for Petitioner:**

**Paul Reis**, Krieg DeVault; **Rich Kelly**, EMH&T Engineers; **Craig Glazier**, Context Landscape Architecture; **Kevin Buchheit**, Krieg DeVault

- Expansion of existing program at the church
- Site plan showing current Matthew 25 Center building for food pantry and Trinity free clinic
- Growth in medical care and food distribution necessitates new building
- No additional burdens on site; not a new use
- Site surrounded by other property owned by church – no impact on other adjacent properties
- New building and dedicated parking will improve traffic through site
- Conceptual site plan shown with new drive and dedicated parking
- Right-of-way did not change with moving 146<sup>th</sup> Street improvements to the north; making right-of-way difficult for church

**Public Hearing closed**

**Department Report:**

**Christine Barton-Holmes**

- One application to build new building to house existing use
  - Move construction closer to campus of church and further from residences
  - Lessen impact on residences
- Second application for existing right-of-way
  - No construction had been done; right-of-way encroachment was considered to be grandfathered
  - Reduction in right-of-way needs to be legally established for new construction
  - No effect on current landscaping or any proposed or existing building locations

**Department recommended positive consideration**

**Discussion:**

- New building 13,000 square feet replacing approximately 6,000 square feet
- Drainage issues for neighbors with construction of gym years ago
  - Drainage swale along 146<sup>th</sup> Street
  - Will work with City and County for drainage approvals

**Rich Kelly**, EMH&T Engineers, 7400 N. Shadeland

- Met with Gary Duncan, City Engineering Department
  - Concerns regarding rear yard drainage relative to houses west of the Convent
  - Currently rear yard swales with inlet section
  - Will lower grade for inlet structure with end section to allow more fall into system

- System to drain new building will have series of pipes, underground detention system and chamberized system below parking lot
- Pipe stubbed out to pick up rear yard drainage
- All will drain through controlled out-flow structure through open channel and underneath the culvert under 146<sup>th</sup> Street
- Cannot enter onto private properties with drainage problems without consent
- Per Gary Duncan, grade of pipe will be lowered so that if homeowners choose to make improvements there will be adequate fall to drain their rear yards

**Motion:** On a motion made by Leo Dierckman and seconded by James Hawkins:

**Docket Nos. 10060008 SUA and 10070012 V, OLMC Matthew 25 Center, for new building for existing use and reduced front yard setback, be approved.**

**MOTION CARRIED UNANIMOUSLY**

**3h. Korean Presbyterian Church Addition**

The applicant seeks the following special use amendment approval:

**Docket No. 10070002 SUA      Section 21.02      Expansion of existing Special Use**

The site is located at 1020 E 101<sup>st</sup> St on 8.68 acres and is zoned R1/Single-Family Residential with the prior grant of a Special Use.

Filed by Adam DeHart of Keeler-Webb Associates for the Korean Presbyterian Church

**Present for Petitioner:**

**Adam DeHart**, Project Manager, Keeler-Webb Associates; **Kerry Wagoner**, Nazareth Building Services; **Charles Chae**, Chairman of Building Committee

- Bought as existing facility in 1990's
- Propose 7000 square feet addition to existing building
  - Sanctuary, worship center and new entry/narthex area
- Aerial of 8 acres shown; surrounded by residential
- Existing building shown; one-story masonry trimmed in white with shingle roof
- Rendering: new addition match existing building masonry with some additional color
  - All brick with EFIS, adding steeple
- In compliance with all setbacks
- Elevations shown
- Site plan shown
- Existing parking meets their needs and zoning requirements
- Couple minor changes to bring landscaping into compliance
  - Adding landscaping around parking lot to supplement existing trees
  - Adding landscape along front of building
- Adding required bicycle parking and trash dumpster enclosure
- Floor plan shown with remodeling to existing facility for improved kitchen and fellowship area
- No changes in use or services
- Open house invitations to required public notification list and additional neighbors; two attending gave favorable comments
- Ongoing drainage issues in area; new construction does not contribute to problems
  - 101<sup>st</sup> Street in front of church is private drive
  - Would require major re-construction of streets
  - Cannot go back to dedicate right-of-way and re-construct streets

**Public Hearing closed**

**Department Report:**

**Christine Barton-Holmes**

- 7000 square feet addition
- More than adequate parking
- Landscaping will be brought into full compliance

**Department recommended positive consideration**

**Motion:** On a motion made by James Hawkins and seconded by Kent Broach:

**Docket No. 10070002 SUA, Korean Presbyterian Church Addition for expansion of existing Special Use, be approved.**

**MOTION CARRIED UNANIMOUSLY**

**Old Business**

**1i. 646 Johnson Drive Appeal TABLED INDEFINITELY**

The applicant seeks the following permit issuance appeal:

**Docket No. 09020014 Appeal Appeal of Permit No. 09010003 Accessory Structure Size**

The site is located at 646 Johnson Drive and is zoned R1/Single-family residential

Filed by: Howard & Holly Green; John & Beryl Colosimo; James & Laura Dunn; Judy Wagner; and Michael & Susan Shaw, neighbors.

**Adjournment**

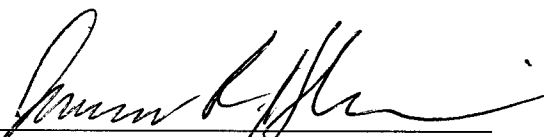
**Motion:** On a motion made by Earlene Plavchak and seconded by Leo Dierckman:

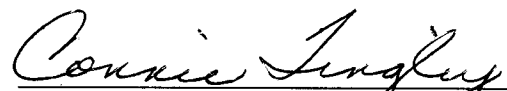
**The Meeting be adjourned.**

**MOTION CARRIED UNANIMOUSLY**

The meeting adjourned at 6:30 PM.

Approved this 27th day of September ~~27th~~ 2010.

  
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President - James R. Hawkins

  
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Secretary - Connie Tingley